

FAX

RECEIVED
CENTRAL FAX CENTER
MAR 08 2006

ATTN. Van Kim T. Nguyen

Fax Number 1 571 273 8300

Phone Number 571 272 3073

FROM Volel Emile, Esq.

Fax Number 512 306 0240

Phone Number 512 306 7969

SUBJECT Notice of Appeal (10/076,357)

Number of Pages 6

Date 3/8/2006

MESSAGE

This fax transmission contains:

1. one copy of a Fax Transmittal Form; and
2. two copies of the Notice of Appeal, including a Fee Transmittal Letter and Fee.

Volel

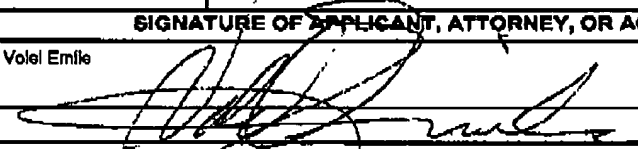
MAR 08 2006

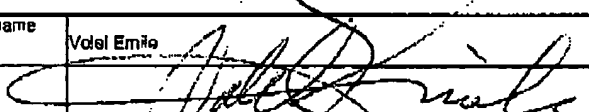
PTO/SB/21 (02-04)

 Approved for use through 07/31/2008. OMB 0851.0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/079,367
	Filing Date	02/14/2002
	First Named Inventor	Dwip N. Banerjee
	Art Unit	2151
	Examiner Name	Van Kim T. Nguyen
Total Number of Pages in This Submission	Attorney Docket Number	AU6920010693US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Notice of Appeal		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Volet Emile	
Signature		
Date	03/08/2006	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Volet Emile	
Signature		Date 03/08/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

Appl. No. 10/076,357
 Notice of Appeal dated 03/08/2006
 Reply to Office Action of 01/03/2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
 Dwip N. Banerjee :
 Serial No: 10/076,357 : Before the Examiner:
 : Van Kim T. Nguyen
 Filed: 02/14/2002 : Group Art. Unit: 2151
 Title: APPARATUS AND METHOD : Confirmation No.: 1515
 OF IMPROVING NETWORK :
 PERFORMANCE USING VIRTUAL :
 INTERFACES :

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from
 the Decision of the Primary Examiner of January 03, 2006
 finally rejecting Claims 1 - 20.

The item(s) marked below are appropriate:

1. _____ A petition and fee for extension of term for
 reply to the final rejection is attached.
2. X Appeal fee
 _____ X other than a small entity. Fee: \$500.00
3. X Payment
 _____ X Please charge Deposit Account 09-0447
 the sum of \$500.00. A duplicate of this notice
 is attached.

03/09/2006 MBINAS 08888841 090447 18076357
 01 FC:1401 500.00 DA

AUS920010893US1

Appl. No. 10/076,357
Notice of Appeal dated 03/08/2006
Reply to Office Action of 01/03/2006

Respectfully Submitted

By: 

Volel Emile
Attorney for Applicants
Registration No. 39,969
(512) 306-7969

ALS920010893US1

Page 2 of 2